

REMARKS

This responds to the Office Action mailed on February 8, 2005.

No claims are amended, canceled, or are added; as a result, claims 1–7 remain pending in this application.

Interview Summary

Applicant thanks Examiner Brenda Lamb for the courtesy of a telephone interview on January 7, 2005 with Applicant's representative Timothy J. Clise. The interview was conducted to discuss the Examiner's restriction requirement. The Group I claims were orally elected and no discussion of the patentability of the claims was conducted.

Affirmation of Election

Restriction to one of the following claims was required:

Group I: Claims 1-4

Group II: Claims 5-6

Group III: Claim 7

As provisionally elected by Applicant's representative, Timothy B. Clise, on January 7, 2005, Applicant elects to prosecute the invention of Group I, claims 1-4.

The claims of the non-elected invention, claims 5–7, are withdrawn and will be cancelled upon allowance of the elected claims of Group I. However, Applicant reserves the right to later file continuations or divisional applications having claims directed to the non-elected inventions

Double Patenting Rejection

Claims 1-4 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 47-53, 58-64, and 69-73 of U.S. Patent No. 6,669,781.

Claims 1-3 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 10-15 of U.S. Patent No. 6,599,365.

Claims 1-4 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 7-24 of U.S. Patent No. 6,641,669 in view of Hefe (U.S. 5,460,316).

Applicant does not admit that the claims are obvious in view of any of U.S. Patent Nos. 6,669,781, 6,641,365 or 5,460,316. However, a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(b)(iv) is enclosed herewith to obviate these rejections.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6970 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

June 8, 2005

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8 day of June, 2005.



Name



Signature